

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,491	12/10/2003	Jun Yamaguchi	03740/LH	7688
1933	7590 10/04/2004		EXAM	INER
FRISHAUF 767 THIRD A	, HOLTZ, GOODMAI	N & CHICK, PC	LAUCHMAN	I, LAYLA G
25TH FLOO			ART UNIT	PAPER NUMBER
NEW YORK	, NY 10017-2023		2877	
			DATE MAILED: 10/04/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

1) □ Responsive to communication(s) filed on				Ale -
Examiner Communication appears on the cover sheet with the coverage address		Application No.	Applicant(s)	- V
L.G. Lauchman L.G. Lauchman L.G. Lauchman 2877 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than biny conditions of 200 Mills (s), and a series to knowledge of the period for reply specified above is less than biny (20) days, a reply within the statutory minimum of biny (20) days will be considered timely. If the period for reply specified above is less than biny (20) days, a reply within the statutory minimum of biny (20) days will be considered timely. If the period for reply specified above is less than biny (20) days, a reply within the statutory minimum of biny (20) days will be considered timely. If the period for reply specified above is less than biny (20) days, a reply within the statutory minimum of biny (20) days will be considered timely. If the period for reply specified above is less than biny (20) days, a reply within the statutory minimum of biny (20) days will be considered timely. If the period for reply specified above is less than biny (20) days and the second of the considered timely. If the period for reply specified dows, the manufacture of the considered timely. If the period for reply specified days will be second or specified and the second or specified and the second or specified and the second or specified and se		10/733,491	YAMAGUCHI ET A	L.
The MAILING DATE of this communication appears on the cover sheet with the correspondence address— Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edensions of time may be available under the provisions of 3° CFR 113(a). In no event, however, may a reply be timely filed after SX (b) MONTH'S from the maining date of this communication. If the period for reply is specified whose, the maximum of 3° CFR 113(a). In no event, however, may a reply be timely filed after SX (b) MONTH'S from the maining date of this communication. If the period for reply is specified above, the maximum calculary pariod will apply and will epicy sky (b) MONTH'S from the maining date of this communication. If the period for reply is specified the than there meriods after the mailing date of this communication, even if fileney filed, may reduce any accordance parent term edipariment. See 3° CFR 1.74(b). Status 1) Responsive to communication(s) filed on	Office Action Summary	Examiner	Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Exteriors of time may be available under the provisions of 37 CFR 1.13(a), in no event, however, may a reply be timely filed - Exteriors of time may be available under the provisions of 37 CFR 1.13(a), in no event, however, may a reply be timely filed - Exteriors of time may be available under the provisions of 37 CFR 1.13(a), in no event, however, may a reply be timely filed - Exteriors of time and provisions of the provisions of 37 CFR 1.13(a), in no event, however, may a reply be timely filed - It to period for reply septical each use the site has the value of the setatory minimum of birty (30) days will be considered limity. - It to period for reply septical eached period for reply and will expect as a file of the communication. - Failurs to reply which the site or wended period for reply will, by statulus, except she application become ABARDOETIC (51 U.S. C, §13). - Array reply received by the Office later than these models after the mailing date of this communication, even if timely filed, may reduce any extend period for reply is expected period for reply in the mailing date of this communication. - Status - This action is FINAL. - 2b) This action is non-final. - 3) Responsive to communication(s) filed on		L. G. Lauchman	2877	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extractions of them may be available worked the proteinion of 3 CFR 1-13(s). In no event, however, may a reply be timely filed Extractions of them may be available worked the proteinion of 3 CFR 1-13(s). In no event, however, may a reply be timely filed Extraction of them by the specified above is less than thirty (20) days, a reply within the statutory minimum of birty (20) says will be considered timely. Entry period for reply is specified above is less than thirty (20) days, a reply within the statutory minimum of birty (20) says will be considered timely. Entry period for reply is specified above is less than thirty (20) days, a reply within the statutory minimum of birty (20) says will be considered timely. Entry period for reply is specified above, the maximum attation period will apply and will expres (30) MONTHOR than the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statutor, because the application is become ABANDONED (35 U.S. 5, 133). Cannot be this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)		appears on the cover sheet w	ith the correspondence add	ress
1) □ Responsive to communication(s) filed on	A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above, the maximum statutory perior - Failure to reply within the set or extended period for reply will, by stat Any reply received by the Office later than three months after the ma	N. 1.136(a). In no event, however, may a comply within the statutory minimum of third od will apply and will expire SIX (6) MON tute, cause the application to become Al	reply be timely filed ty (30) days will be considered timely. NTHS from the mailing date of this con BANDONED (35 U.S.C. § 133).	
This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are elpected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	Status			
This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are elpected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	1) Responsive to communication(s) filed on	.		
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s)** Notice of Preferences Cited (PTO-892)				
Al) Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s)	3) Since this application is in condition for allow	vance except for formal mat	ters, prosecution as to the	merits is
4.)	closed in accordance with the practice unde	r <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.	
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☒ All b) □ Some * c) □ None of: 1. ☒ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No, 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) ☒ Notice of References Cited (PTO-892)	Disposition of Claims			
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☒ All b) □ Some * c) □ None of: 1. ☒ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No, 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) ☒ Notice of References Cited (PTO-892)	4) Claim(s) 1-10 is/are pending in the application	on.		
6 ☐ Claim(s) 7-10 is/are rejected. 7 ☐ Claim(s) is/are objected to. 8 ☐ Claim(s) is/are objected to. 8 ☐ Claim(s) is/are objected to restriction and/or election requirement. Application Papers 9 ☐ The specification is objected to by the Examiner. 10 ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. **Attachment(s)** Auttachment(s)** Interview Summary (PTO-413) Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)				
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	5) Claim(s) is/are allowed.			
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Di Notice of References Cited (PTO-892) Di Notice of Draftsperson's Patent Drawing Review (PTO-948) Di Notice of Informal Patent Application (PTO-152)	6)⊠ Claim(s) <u>1-10</u> is/are rejected.			
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a), Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	7) Claim(s) is/are objected to.			
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Diamonton Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Draftsperson's Patent Drawing Review (PTO-948) Diamonton Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)	8) Claim(s) are subject to restriction and	d/or election requirement.		
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Motice of References Cited (PTO-892)	Application Papers			
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Notice of Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	9)☐ The specification is objected to by the Exami	iner.		
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) Auttachment(s)	10)☐ The drawing(s) filed on is/are: a)☐ a	ccepted or b) objected to	by the Examiner.	
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) Motice of References Cited (PTO-892)	Applicant may not request that any objection to the	he drawing(s) be held in abeyar	nce. See 37 CFR 1.85(a).	
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) Notice of References Cited (PTO-892)		· -	•	
12) △ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) △ All b) ☐ Some * c) ☐ None of: 1. △ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) △ Notice of References Cited (PTO-892)	11) The oath or declaration is objected to by the	Examiner. Note the attached	d Office Action or form PTC)-152 .
a) ☑ All b) ☐ Some * c) ☐ None of: 1. ☑ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **Attachment(s) Notice of References Cited (PTO-892)	Priority under 35 U.S.C. § 119			
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. *Attachment(s) Notice of References Cited (PTO-892)	a) ☑ All b) ☐ Some * c) ☐ None of: 1. ☑ Certified copies of the priority docume 2. ☐ Certified copies of the priority docume	ents have been received. ents have been received in A	Application No	Stage
Attachment(s) Notice of References Cited (PTO-892)	•	-		-
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)	* See the attached detailed Office action for a li	ist of the certified copies not	received.	
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Notice of Informal Patent Application (PTO-152)	Attachment(s)			
Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	1) X Notice of References Cited (PTO-892)			
/ 		Paper No(s)/Mail Date	.152\
· · · · · · · · · · · · · · · · · · ·	 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/C Paper No(s)/Mail Date <u>8/2004</u>. 		• • • • • • • • • • • • • • • • • • • •	102)

Application/Control Number: 10/733,491

Art Unit: 2877

DETAILED ACTION

The preliminary amendment filed 12/10/2003 has been entered.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carr et al (US 4,927,268), and further in view of Schulz et al (US 5,513,006).

Carr teaches a system fro optical analysis of particles (see col. 3, lines 44–68, col. 2, lines 1-60) that convergently irradiates two specific wavelengths onto a sample using a converging lens 12, passing through a thermal lens generated by convergent radiation of the exciting light, comprising an optical fiber 10 for guiding the two specific wavelengths to the converging lens. The patent does not specifically calls the wavelengths as exciting and detecting light; however, it mentions that the wavelengths could be introduced into the fiber by a suitable fiber coupler (see col. 3, lines 45-57). Schulz teaches a photo-thermal sensor for determining the concentration of a sample

Art Unit: 2877

by using an excitation light 4 and a probe light 3 for producing the light 21 (emitted by the excitation light source) and light 20 (emitted by the probe light source) (see Fig. 2). It would have been obvious to have two different light sources on the invention of Carr, since the two light sources would have produced two different wavelengths, as it is desired in the Carr's invention. The converging lens in the Carr's invention is a gradient index lens; the two wavelengths passing through the converging lens have different focal positions. Carr does not disclose moving means for moving the optical fiber, however it would have been obvious to move the fiber in order to measure the sample at different locations and make the measurements more efficient.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hiraga et al teach an optical method and control. Morris et al teach a photothermal desintometer.

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to TC 2877 via the PTO Fax Center located in CP4-4C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Center number is (703) 872-9306.

If the Applicant wishes to send a Fax dealing with either a Proposed Amendment or for discussion for a phone interview then the fax should:

- a) Contain either the statement "DRAFT" or "PROPOSED AMENDMENT" on the Fax Cover Sheet; and
- b) Should be unsigned by the attorney or agent. This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to L. G. Lauchman whose telephone number is (571) 272-

Application/Control Number: 10/733,491 Page 4

Art Unit: 2877

2418. The examiner's normal work schedule is 8:00am to 4:30pm (EST), Monday through Friday. If attempts to reach examiner by the telephone are unsuccessful, the examiner's supervisor Gregory J. Toatley, Jr. can be reached on (571) 272-2059, ext. 77.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC receptionist whose telephone number is (571) 272-1562.

L. G. Lauchman' Patent Examiner Art Unit 2877

September 22, 2004